



Order Filed on February 5, 2020  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

**Caption in Compliance with D.N.J. LBR 9004-1(b)**

833022

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**Attorneys for The Bank Of New York Mellon fka The Bank  
Of New York, As Trustee (CWALT 2007-17CB)**

In Re:

MERCEDES HURTADO

Case No: 18-26385 - VFP

Hearing Date: 12/19/2019

Judge: Vincent F. Papalia

Chapter: 13

**ORDER RESOLVING SECURED CREDITOR'S APPLICATION TO TERMINATE LOSS  
MITIGATION**

The consent order set forth on the following pages, numbered two (2) through two (2) is  
hereby **ORDERED**.

**DATED: February 5, 2020**

A handwritten signature in black ink, appearing to read "Vincent F. Papalia".

**Honorable Vincent F. Papalia  
United States Bankruptcy Judge**

**NJID 833022**

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Attorneys for THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK,  
AS TRUSTEE (CWALT 2007-17CB)

**UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEW JERSEY**

IN RE:

MERCEDES HURTADO

CASE NO. 18-26385-VFP

Debtors

CHAPTER 13

ORDER RESOLVING SECURED CREDITOR'S  
APPLICATION TO TERMINATE LOSS MITIGATION

HEARING DATE:

**This Order pertains to the property located at 76 SOUTH PARKWAY, CLIFTON, NJ 07014, mortgage account ending with "0191";**

**THIS MATTER** having been brought before the Court by, THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE (CWALT 2007-17CB) (hereinafter "**SECURED CREDITOR**") by and through its attorneys, Phelan Hallinan Diamond & Jones, PC having filed an application to terminate loss mitigation, and Mercedes Hurtado, by and through her counsel, Russell L. Low, Esq., and the parties having subsequently resolved their differences; and the Court noting the consent of the parties to the form, substance and entry of the within Order; and for other and good cause shown:

**IT IS ORDERED as follows;**

1. Debtor agrees to submit all missing documents to the DMM portal no later than **December 31<sup>st</sup>, 2019, with no further extensions**. If all missing documents are not submitted at that time, Debtor will not be reviewed for loss mitigation.
2. The loss mitigation period will **terminate on December 31<sup>st</sup>, 2019, with no further extensions**.
3. Secured Creditor agrees to perform a good faith full review of Debtor's full and complete application after termination as long as Debtor complies with the terms of paragraph 1 of this order.
4. If a loan modification is not offered to the debtor, debtor shall do one of the following: 1) file a Modified Plan to cure the arrearage claim of Movant; or 2) file a Modified Plan to surrender the property subject to said claim; or 3) a Notice to Convert to Chapter 7; or 4) a Notice to Dismiss Case.
5. In the event Debtor is not offered a Loan Modification, Debtor must begin to tender the full regular monthly mortgage payment to Secured Creditor.
6. This Order does not replace the rules and procedures of the Court's Loss Mitigation Program and both parties are bound by same.
7. This Order shall be incorporated in and become a part of any Order Confirming Plan in the herein matter.